

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEROY GOMEZ,

Plaintiff,

v.

CYNTHIA NORRIS, et al.,

Defendants.

Case No. 1:20-cv-00662-AWI-BAM

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS REGARDING
DISMISSAL OF ACTION, WITHOUT
PREJUDICE, FOR FAILURE TO STATE A
CLAIM, FAILURE TO OBEY A COURT
ORDER, AND FAILURE TO PROSECUTE

(Doc. No. 14)

Plaintiff Leroy Gomez, a state prisoner proceeding pro se and in forma pauperis, initiated this action on May 11, 2020. Doc. No. 1.

On September 3, 2020, the assigned magistrate judge issued findings and recommendations that this action be dismissed without prejudice based on Plaintiff's failure to state a claim, failure to obey a court order, and failure to prosecute this action. Doc. No. 14. Those findings and recommendations were served on Plaintiff and contained notice that any objections thereto were to be filed within fourteen days after service. Id.

The findings and recommendations were returned as undeliverable on September 21, 2020. Eastern District of California Local Rule 183(b) requires a party appearing in propria persona to keep the court advised as to his or her current address. If mail directed to a plaintiff in propria persona by the Clerk of the Court is returned by the U.S. Postal Service, and the plaintiff

1 fails to notify the court within sixty-three days thereafter of a current address, then the court may
2 dismiss the action without prejudice for failure to prosecute. Local Rule 183(b). The time for
3 filing objections or notifying the court of an updated address has passed and no objections or
4 notice of updated address have been filed.

5 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
6 de novo review of this case. Having carefully reviewed the entire file, the court concludes that
7 the findings and recommendations are supported by the record and by proper analysis.

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. The findings and recommendations issued on September 3, 2020 (Doc. No. 14),
10 are ADOPTED in full;
11 2. This action is DISMISSED without prejudice; and
12 3. The Clerk of the Court is directed to CLOSE this case.

13 IT IS SO ORDERED.
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15 Dated: February 8, 2021



SENIOR DISTRICT JUDGE

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